

To the right Honorable Sir THOMAS FAIRFAX K.  
(His Excellency) General of all the Forces raised for the regaining of  
*Englands Liberty*; the Honorable the Commanders in chief, and  
others the Commanders and Soldiers of that pious and victorious Ar-  
my; Now appearing (as *Englands Champions*) for the maintai-  
nance of Gods honor, and this their native Countries  
just Liberty, Peace, and Tranquillity.

The humble Petition of all the enslaved Christians in the several Slaughter-houses,  
this Kingdom (called Gaols and Prisons) being your Brethren & Fellow-Common  
of England (conceived to be about 10000. in number) imprisoned for Debt, and  
by Arbitrary Power, and other illegal restraints, contrary to the Law of God, and  
all other Nations both Christian and Pagan, and flaitly against the Contents of the  
great charter of Englands Liberty, formerly purchased, and now againe re-  
gained by the blood of many thousands of the Commons of England. In all  
humility complaining; sheweth,

**T**Hat by the ancient and fundamental common Laws of  
England<sup>a</sup> declared and asserted by the great Charter of  
our Liberties<sup>b</sup> *Magna Charta*, no mans person was to  
be Imprisoned for Debt, nor his Sureties to be troubled,  
if the principal Debtor were able to pay: *But their Estates on-  
ly made liable (in the two third parts thereof) to satisfy the Debt:*  
Which Statute being the inexpugnable fortress of *Englands Freedom*,  
Hath not only been 32. times confirmed by several Acts of Parlia-  
ment, in former Kings reigns, & but also hath been since ratified by  
our Sovereign Lord King *Charls*, both by the Petition of Right, 3<sup>d</sup> Car.  
and by Act passed by his Majesties royal assent this present Parliament  
(Anno 17. Caroli.) Against which Charter, All Statutes and Judg-  
ments formerly made or given, or hereafter to be made or given, are  
d by several Acts declared to be null and voyd: & And that neither  
those that are imprisoned for Debt at the Kings suit only, nor any o-  
thers committed for Treason, Felony, Murther, or Trespass, before  
conviction or attainder, ought to be put into Irons, or otherwise to  
be punished, but only to be safely kept; Prisons being only for custo-  
dy and not for punishment to the Prisoners. f And whereas by the  
said common Laws of *England*, Gaolers that detain their Prisoners in  
Prison, by colour of right for their fees until they dye, or cause their  
Prisoners to perish by famine, beating or wounding, by hard usage,  
strickt or close Durels, or by putting them into Irons or Dungeons  
which procure their death, are guilty of *Homicide* or *Man-slaughter*.

a Mirror of  
Justice cha. 5.  
Int. 1. num. 57  
b 9 of Hen. 3.  
cha, 8.  
c Cooks Instit.  
4 part P. 35.  
Anno 3. Caro.  
Anno 17. Caroli  
d 28 of Ed. 1.  
c. 1. 42 Ed. 3.  
cha, 1.  
e Fleta p. 1.  
c. 26. Bracton  
P. 3. fol. 100.  
& 137. Bracton  
c. 5. fo. 14.  
Mirror c. 2.  
f Et. 9. also c. 5  
f Et. 1. 8 Ed. 2.  
Fits Coron.  
43 2. 7 Edw. 3.  
15 R. rot. 44.  
24 Hc. 8 Dier  
249. Pic Com.  
360. Cook 1. 3.  
fo 44 lib. 8.  
fo. 100. vox  
plebis P. 55,  
56, 57. Op-  
pressed mans  
Oppression  
P. 2, 3, 4  
f Mirror c. 4.  
sect. 9.

g Mirror c. 5.  
 sect. 1. Mirror  
 52, 53.

b 4 Ed. 3. c. 10.  
 23 He. 6. c. 10.  
 3 Ed. 1. c. 26.  
 25 Ed. 3. c. 17.  
 Liberty against  
 slavery fo. 4,  
 5, 7.

That by the said Laws, Gaolers or Guardians of Prisons are prohibited to spoil their Prisoners of their goods, or to take any thing from them, for, by, or under any pretence of Fees, either at their coming into the Prison or going out &: And whereas likewise, all manner of Extortions, Oppressions and illegal vexation of Sherifes, Gaolers, and Prison-Keepers, exercised and practiced upon their Prisoners, is strictly prohibited and defended by divers good and wholesome Laws and Statutes of this Realm<sup>h</sup>: And Gaolers and Guardians of Prisons (and Sherifes) are to take nothing for the execution of their offices, but only of the King, except 4 pence to be required and taken of the Prisoner at the time of his discharge and not before, conferred on them by the Statute of the 23. of Henry 6. chap. 10.

That contrary to these good Statutes (and the great Charter of *Englands Liberty*) the persons of the free-commons of *England* are still most unjustly and cruelly (for an unlimited time) inflaved in the several Gaols and Prisons, and thereby inhumanly robbed of their just and precious Liberties, Estates and Callings, whereby they, their wives and children are exposed to the cruel wills of their Oppressors, and so become the very spectacle of misery; not pityed by any, nor hitherto by the State regarded nor relieved: Notwithstanding their many several Petitions (for these 6 years past) presented to them for Release from this *Egyptian* bondage. That in pursuance of their uncontrouled inhumane cruelties, Gaolers and Prison-keepers have and dayly do inforce from Prisoners their goods and moneys, illegal fees and excessive Chamber-rent; viz. Fees of a Mark, five Mark, five pound, and ten pound, and for Chamber-Rent from each Prisoner no less then 5s. 8s. 10s. 16s. yea from some 20s. a week, and in the Common Wards, where nothing of Right ought to be by them required or taken; they exact from each poor prisoner (although two lodged in one bed) no less then 14. pence a week, besides divers others unexpressible exactions. That many hundreds of prisoners have been (as some stil are) by Gaolers and Prison-keepers and their hellish Substitutes close imprisoned in Chambers and Dungeons, for divers days, moneths and years, assaulted, beaten, wounded, robbed, and violently at midnight dragg'd out of their own beds and lodged on the cold bare ground; Tormented and decripp'd by Iron Fetters, starved and violently murdered; yea, some kept in Irons (hands and feet) till their Excrements coming from their body rotted their fundaments; Others being by their creditors discharged, are notwithstanding by Gaolers detained in Prison meerly for their own unjust exacting fees,

fees, where many have thus miserably perished: And also usually committing Felons & Murtherers with Debtors, contrary to the Statute of safety: Thus Prisons are none other then places of Torment, ruin, and destruction to the Commons of *England*; and Gaolers and Prison-Keepers none other then tormenters and lawless executioners of their own cruel wils, who, although complained of, yet the Prisoners just complaints are not heard, but they stil suffered to persist in these their cruel illegal courses, and like vipers sucking the vital blood of the poor Prisoners, and defrauding them of their Legacies and Collection moneys gathered in every County of this Realm, and Courts of Justice for their relief, they murder the poor innocent, to whom they deny the priviledg which is by them dayly afforded unto Felons.

The premises justly weighed, and for that Imprisonment of the body for 10, 20, 30, or 40. years, discounts not one penny of Debt to the Creditor, but only for a time brings the Grist of wicked gain to the Lawyers and Attornies covetous mills of ungodly contention, with inevitable ruin to the Debtor, his wife, children and family; Lawyers, Attornies and Gaolers being none other then poor, distressed, enslaved *Englands* Canker-worms, and devouring Caterpillars of mens Estates, Liberties and lives. The *Law* of *England* being a *Law* of mercy and preservation to the people, and not a law of Tyranny, Oppression and Destruction, as hitherto it hath been and still is; By which law the the two third parts only of the Debtors Estate is made liable to the satisfaction of his just Debts, the rest being reserved to the Debtor for his future subsistence and education of his children, and the persons acquitted from future trouble for the same.

Your poor distressed and unjustly enslaved Petitioners do therefore humble beseech you (in the bowels of compassion) to commiserate this their grievous unlimited oppressive condition of being; and according to the rules of justice and charity (and the pious sensibility of your unjustly enslaved Brethrens misery) to be pleased, amongst other your weighty and humble Addresses to the high and honorable Court of Parliament, to present these our grievances & just requests with desire, That according to the fundamental Laws of the land, the persons of all the Commons of *England* may be restored to their ancient, legal and just *Liberties* (as at the first); and that the current of Justice may be freely opened to all; That so the poor Commons of *England* may not still be inforced (by mercenary *Lawyers* and contentious *Attornies*) to buy Justice for the corrupt price of iniquity; nor at such high rates as hitherto they have been inforced to do, to the utter

ruin of their Estates, Houses, and Families : Your Petitioners not being able to acquit themselves from this inhumane slavery, by the abominable, unlimited, chargeable course of the law, practiced by all the mercenary instruments of contention, in Petty-fogging latine and Pedlers French, by these supporters of contention ; And also that Gaolers and Prison-Keepers may be regulated in their illegal, unlimited tyrannical power, potency, cruelty, and exactions, that so we and the posterity of this whole Nation being freed from this Egyptian bondage, may have just cause to eternize the memory of your Excellency and the rest of the honorable Commanders and pious Souldiers (*truths faithful Champions*) as of the true and faithful restorers of the ancient and just birth-right, and liberty of the enslaved Commons of *England*. And your Petitioners, their wives, and children, and families (as bound) shal ever pray for a blessing on your faithful endeavors, and for the speedy successes of this bleeding Kingdoms cause by you taken in hand, to Gods glory and *Englands* Peace and Tranquillity.

Subscribed for themselves, and all others their imprisoned and unjustly enslaved brethren and fellow-Commons of *England*, By

*And I rebuked the Nobles and Rulers, saying, You exact usury every one of his brother, and I set a great Assembly against them ; For I was very angry when I heard the cry [of the oppressed] and I said, Our flesh is as the flesh of our Brethren, our children as their children : and lo we bring into bondage our sons and our daughters : And I said, It is not good, that which ye do ; ought ye not to walk in the fear of our God, Nehemiah 5. 5, 6, 7, 9? But ye have not proclaimed Liberty every one unto his neighbour, Ier. 37. 17. For if thy brother be waxen poor and faine to decay, then thou shalt relieve him ; yea though he be a stranger, that he may live with thee : Ye shal not oppress one another, Levit. 26. 17. 35. And ye shal do no unrighteousness in judgment : But in righteousness shalt thou judg thy neighbour, Levit. 19. 15. Jer. 9. 5, 6, 8, 9.*

John Baynes.

Rubine Cunningham.

Richard Carter.

John Robinson.

Richard Raynolds.

George Bishop.

Richard Gardner.

Richard Fletcher.

Thomas Madgwick.

William Hayse.

To the right Honorable the LORDS and COMMONS in  
PARLIAMENT assembled at Westminster. 1643

The humble Petition of divers well affected Commons of England, in the behalf  
of themselves and others their enslaved Fellow Commons, imprisoned for Debt  
and other illegal restraints, within the several Prisons in this Kingdom, conceived  
to be about 10000, in number (at the least) complaining,  
Sheweth,

**T**hat these their fellow Commons Enslaved, having former-  
ly, by several Petitions addressed themselves to this Ho-  
norable assembly, for their undeniable Birth-right (which  
is their Liberty) and acquittance from this unlimited Im-  
prisonment fastened on them, and us; And the posterity of this  
whole Nation, By the covetous Instruments of contention, through  
their unexpressible abuse of *Magna Charta*, which is the only Sure  
Contract and perpetual Law, between the King and his Subjects,  
In all which *They nor We*, have hitherto reaped any Redress. Accord-  
ing to our just Expectation: That in the 3. year of the King, The  
body of this Common-wealth being Sensible of many Sufferings, Oc-  
casioned by the breach of *Magna Charta*. The Lords and Commons  
then assembled in Parliament, Petitioned his Majesty for Confirma-  
tion thereof (*Which Implies their consents to it*) To which his  
Majesty then assented and since Confirmed (*Which Implies an Act,  
and a legal confirmation*) whereby we truly apprehend, That all  
Latter Statutes made in Contradiction thereof, Tending to the betray-  
ing of the Subjects Liberty (*By enslaving their Persons*) are abso-  
lutely become Null, and cannot now stand in force, as by the 42. of  
*Ed. 3. c. 1.* appeareth; For the lesser must needs give Place to the Greater. 3402  
It having also bin maintained in this Honorable assembly, That  
the Commons must be eased in their Persons from this Slavery of Im-  
prisonment being a free born people and no Slaves nor villians, Impri-  
sonment being flatly against *Magna Charta*, which is the only foun-  
damental Mother Law of this Kingdom, Purchased (and now again  
Regained) by the Blood of many thousands of our Ancestors, Friends  
and Allies.

The premises Considered, and for that it is wel known, that Im-  
prisonment of the body for 10. 20. 30. or 40. years together, dis-  
counts not one penny Debt to the Creditor, but only (For a time)  
brings Grief to the Lawyers and Attornies mills of wicked contention,

Gain to the Cruel Gaoler and his Substitutes, *With Inevitable Ruin to the Poor Debtor (his Wife, children, and Family)* who by this Cruelty is Debarred of his precious *Liberty; Livelihood, and calling*: your petitioners therefore humbly pray, that according to the pious Rule of Justice and Charity, and the fundamental *Law of this Land*, All the persons of the Commons of England may be Restored to their ancient *Legal and just Liberty (as at the first)* and the Current of *Justice* freely opened to all, which your Petitioners humbly Conceive cannot be truly Effected: so long as *Lawyers and Attornies* (The Covetous *Mercenary Instruments of contention*) be permitted to sit in the House, who are Conceived to be the only *Obstructors of Justice in this Kingdom*. This being done, your Petitioners as also their unjustly Inslaved Brethren will then (*as is hoped*) be Inabled to partake of *Justice Freely*: and not stil be Inforced (by *Lawyers and Attornies*) to buy it for the Corrupt price of Iniquity, nor at such high Rates as hitherto they have done, to the utter Ruin of their Estates, Houses and Families: And that according to *Magna Charta*, the *Debtors Estates*, (if any Remaining) may be made Lyable (*In the two third parts thereof*) to the satisfaction of their Just Debts, By which great Charter, a Charitable Consideration is had to the future Subsistence of the *Debtors*, their wives and children, and also that Prisons may be Regulated, and Prison keepers, abridged of their Illegal, unlimited, *Tyrannical Power, Potency, and Exactions*. That so we and all our Posterities being freed from this *Egyptian bondage*, may have Just cause to Eternize the memory of his Majesty, and of this Honorable assembly, as of the Restorers of their *Ancient and Just Birth-right and Liberty*.

[646.]

To the Honorable the House of Commons in Parliament assembled.  
*The humble Petition of divers wel. affected Commons of England, in the behalf of their poor inslaved Brethren, languishing in several Prison, with n this Kingdom. Most humbly sheweth,*

**T**HAT this Honorable Assembly was pleased some 5. years since to heare the Petition of the poor prisoners for Debt, and to refer the same to a Committee (whereof *Henry Martine Esquire* was then Chairman) for the drawing up of an Ordinance for their remedy and redress, which was done accordingly, But yet hitherto unhappily obstructed, whereby many poor Prisoners (their wives and children) for want of timely redress, have since perished, and many others are consumed and utterly disabled to subsist. Now for that the said Ordinance was long since resolved on, and by *M. Martine* brought into this Honorable House to be read; Yet there hitherto obstructed, so as the hearts of the oppressed (through this long delay) ready fayne

wishing

within them, their miseries being thereby augmented, and for that also, a great number, who have with al fidelity served the Parliament, and have not received their pay (*Due*) are at this present Imprisoned for their debts, which they can no ways satisfy until they have received their arrears for the said service, by which means many of them have perished, and the rest likely to perish miserably, and their families to be utterly ruined.

Your poor Petitioners therefore in the bleeding sence of their (*unjustly inflaved*) brethrens extream sufferings, do humbly pray; That ye the chosen, convened for their deliverance from oppression and injustice, and for the preservation of their just Rights and Liberties, wil now (after so long time of their expectancy (in durance and misery) be pleased forthwith to comiserate their deplorable estates, and according to your duty, the fundamental Law of the Land, and Petition of Right; seriously to consider the premises, and speedily according to justice, to assign unto every of them their just liberty & freedom, from this unjust bondage and slavery; They having long cryed and none have regarded this their unjustly imposed miserable Thraldom; in which not only the present Petitioners, but the posterity of all the freeborn Commons of England are meerly concerned; this being by you accomplished, then not only your Petitioners, but future generations shal be ever bound to call you the blessed instruments of justice, for the Regaining of their ancient and just Rights and Liberties.

*Ye shal do no unrighteousness in judgment, Levi. 19. 15. Thou shalt not oppress nor vex the stranger, the Widdow, the fatherless child, nor the poor. For if thou afflict them and they cry unto me, I wil surely heare their cry: And my Wrath shal Wax hot, and I wil kill you with the sword: and your Wives shal be Widdows, and your children fatherless, Exod. 22. 21, 22, 23, 24. Therefore execute true judgment, shew mercy and compassion every man to his Brother, and oppress not the Widdow, the stranger, nor the poor, and let none of you imagine evil against his brother in your heart, and execute the judgment of truth and Peace in your Gates, and love no false oaths Zach. 7. 9, 10. Zach. 8. 16, 17. Nor sel justice for the price of iniquity as hitherto you have done. vivat rex.*

*FINIS.*

Many more Petitions of the like nature being from time to time presented, have bin obstructed, and the parties greived, not heard nor releived, but their miserable Bondage rather augmented, and they thereby discouraged from renewing their complaints against these their *Egyptian* task-masters, viz. Lawyers, Attornies, Gaolers, and cruel creditors, Distressed, and miserably inflaved, Englands Cancker-wormes, and devouring Caterpillers of mens Estates, Liberties, and lives, and fomenters of all Contention, Tyranny, and Oppression.

*vivat Rex.*

